

REMARKS

In the final office action, the examiner rejected claims 1-11, 14-26, 28-34, 51-53, 56-63, 65, 67, 70, 72, 73, and 76-82 (claims 83-88 stand withdrawn). By the present response, the applicant amends independent claims 1, 16, 31, 34, 51, and 79. These amendments do not add any new matter. The applicant respectfully requests reconsideration and allowance of all pending claims in view of the foregoing amendments and the following remarks.

Interview Summary

The applicant thanks the examiner for her participation in a telephonic interview with the applicant's undersigned representative on February 8, 2011. During this interview, the parties discussed proposed amendments to the claims, which had previously been sent to the examiner by the applicant's representative. While no specific agreement regarding allowability was reached, the examiner agreed that the proposed amendments appear to distinguish the claims over the prior art applied in the final office action, but noted that further search and consideration would be necessary. As such, the proposed claim amendments discussed during the interview have been included in the present response. For the reasons provided below, the present claims are believed to be allowable over the art of record.

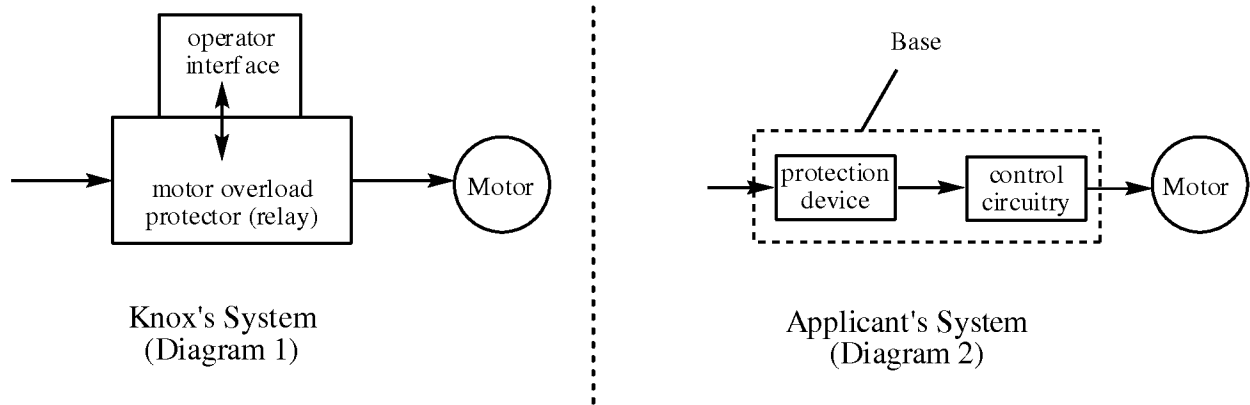
Claim Rejections under 35 U.S.C. § 102

In the final office action, the examiner rejected claims 1-9, 14-21, and 24-26 under 35 U.S.C. § 102(e) as being anticipated by Knox et al. (U.S. Patent Application Publication No. 2004/0252421; hereinafter "Knox"). The examiner also rejected independent claims 1, 16, 31, 34, 51, and 79 under 35 U.S.C. § 102(b) as being anticipated by Brown et al. (U.S. Patent No. 6,388,563; hereinafter "Brown"). The applicant respectfully traverses these rejections.

As discussed above, independent claims 1, 16, 31, 34, 51, and 79 have been amended as agreed upon during the telephonic interview of February 8, 2011. For example, amended independent claim 1 recites, *inter alia*, “the motor protection device is electrically connected between a power source and the modular control unit, and the modular control unit is electrically connected between the motor protection device and the motor to control application of power from the power source received through the motor protection device to the motor.” Independent claims 16, 31, 34, 51, and 79 have also been amended to recite generally similar features. Neither Knox nor Brown teaches or suggests this combination of features.

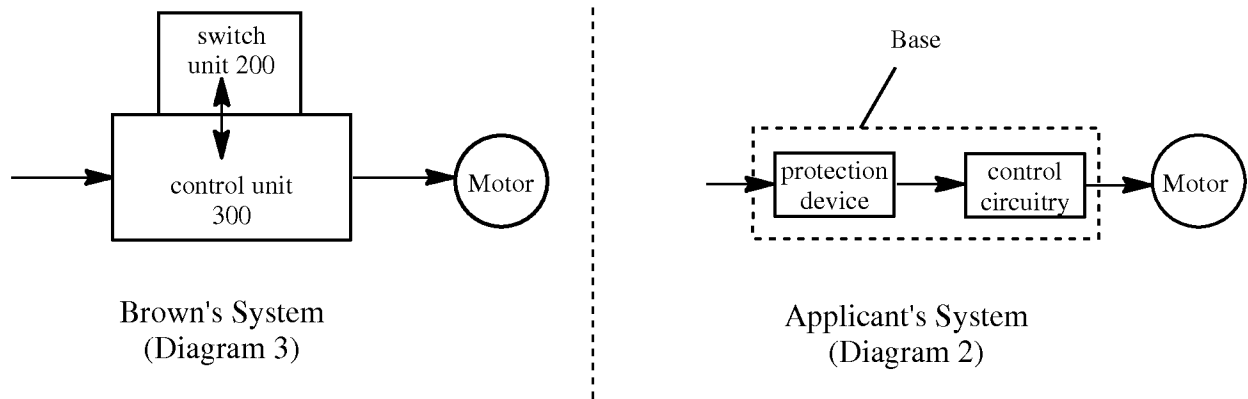
Features of Amended Independent Claims 1, 16, 31, 34, 51, and 79 Omitted from Knox

For example, as shown in Diagram 1 below, Knox discloses an operator interface 2 mounted to a motor overload protector 1, which is also described as a relay. *See* Knox, paragraph 86. In the final office action, the examiner equated the operator interface 2 of Knox with the “modular control unit” of amended independent claim 1, and the motor overload protector 1 of Knox with the “motor protection device” of amended independent claim 1. *See* Final office action, page 3. However, as illustrated in Diagram 1, the operator interface 2 of Knox is *not electrically connected between* the motor protector 1 of Knox and a motor. As such, Knox does not teach or suggest “the *modular control unit is electrically connected between the motor protection device and the motor* to control application of power from the power source received through the motor protection device to the motor,” as recited by amended independent claim 1. (Emphasis added.) Furthermore, for similar reasons, Knox also does not teach or suggest all of the features of amended independent claims 16, 31, 34, 51, and 79.



Features of Amended Independent Claims 1, 16, 31, 34, 51, and 79 Omitted from Brown

In addition, as shown in Diagram 3 below, Brown discloses an emergency stop device 100 having a switch unit 200 mounted to a control unit 300. The control unit 300 is coupled to a machine and controls the power source for the machine. *See* Brown, column 4, lines 42-44 and 61-62. In the final office action, the examiner equated the control unit 300 of Brown with the “modular control unit” of amended independent claim 1, and the switch unit 200 of Brown with the “motor protection device” of amended independent claim 1. *See* Final office action, pages 10-11. However, as illustrated in Diagram 3, the switch unit 200 of Brown is *not electrically connected between* a power source and the control unit 300 of Brown. As such, Brown does not teach or suggest “the motor protection device is electrically connected between a power source and the modular control unit,” as recited by amended independent claim 1. Furthermore, for similar reasons, Knox also does not teach or suggest all of the features of amended independent claims 16, 31, 34, 51, and 79.



Claim Rejections under 35 U.S.C. § 103

In the final office action, the examiner rejected claims 10, 11, 22, and 23 under 35 U.S.C. § 103(a) as being unpatentable over Knox in view of Hollenbeck (U.S. Patent No. 5,557,182; hereinafter “Hollenbeck”). The examiner also rejected claims 10, 11, 22, 23, 29, 57, and 58 under 35 U.S.C. § 103(a) as being unpatentable over Haudry et al. (U.S. Patent No. 6,879,230; hereinafter “Haudry”) in view of Hollenbeck. The examiner further rejected claims 1-9, 14-21, 24-26, 28, 30, 32, 34, 51-53, 56, 59-63, 65, 67, 70, 72, 73, and 76-79 under 35 U.S.C. § 103(a) as being unpatentable over Haudry. In addition, the examiner rejected claims 80-82 under 35 U.S.C. § 103(a) as being unpatentable over Haudry in view of Knox. The applicant respectfully traverses these rejections.

Features of Amended Independent Claims 1, 16, 31, 34, 51, and 79 Omitted from the Cited References

As discussed above, Knox does not teach or suggest all of the features of independent claims 1, 16, 31, 34, 51, and 79. In addition, the applicant contends that Hollenbeck and Haudry both fail to cure the deficiencies of Knox. More specifically, the applicant contends that neither Hollenbeck nor Haudry teach or suggest “the motor protection device is electrically connected between a power source and the modular control unit, and the modular control unit is electrically connected between the motor protection device and the motor to control application of power from the power source

received through the motor protection device to the motor,” as recited by amended independent claim 1.

For example, Haudry discloses a protection and control module 2 that is electrically upstream of a trip device 18. *See* Haudry, column 2, lines 46-50. In the final office action, the examiner equated the protection and control module 2 of Haudry with the “modular control unit” of amended independent claim 1, and the trip device 18 of Haudry with the “motor protection device” of amended independent claim 1. *See* Final office action, pages 15-16. However, the protection and control module 2 of Haudry is *not electrically connected between* the trip device 18 of Haudry and a motor. As such, Haudry does not teach or suggest “the *modular control unit is electrically connected between the motor protection device and the motor* to control application of power from the power source received through the motor protection device to the motor,” as recited by amended independent claim 1. (Emphasis added.) Furthermore, for similar reasons, Haudry also does not teach or suggest all of the features of amended independent claims 16, 31, 34, 51, and 79. In addition, the applicant contends that Hollenbeck similarly fails to cure the deficiencies of Knox. For at least these reasons, among others, none of the cited references teach or suggest all of the features of the present claims.

Conclusion

In view of the remarks and amendments set forth above, the applicant respectfully requests allowance of the pending claims. If the examiner believes that a telephonic interview will help speed this application toward issuance, the examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: February 10, 2011

/Steven J. Sinclair, Jr./

Steven J. Sinclair, Jr.
Reg. No. 62,197
FLETCHER YODER
P.O. Box 692289
Houston, TX 77269-2289
(281) 970-4545